IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE

S/S Pennsylvania Avenue, 400'

W of c/l Washington Street * ZONING COMMISSIONER

2913 Pennsylvania Avenue

13th Election District * OF BALTIMORE COUNTY

1st Councilmanic District

Michael Andrew Miller, et ux * Case No. 96-499-A

Petitioners

* * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for the property located at 2913 Pennsylvania Avenue in western Baltimore County. The Petition is filed by Michael A. Miller and Jacqueline A. Miller, his wife, property owners. Variance relief is requested from Section 415.A.1.A of the Baltimore County Zoning Regulations (BCZR) to permit a recreational vehicle in the front yard of the subject property, in lieu of the requirement that same be situated 8 ft. to the rear of a lateral projection of the front foundation line of a dwelling. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were the Petitioners, Michael A. Miller and Jackie A. Miller. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the Petitioners have owned the subject property for six years and reside thereon. The property is improved with a 1-1/2 story framed dwelling, an attached covered porch and a patio to the rear. The property also contains a small shed and a concrete driveway. The property is .115 acres in area, zoned D.R.5.5.



ORDER RECEIVED FOR FILMO
Date

By

The Petitioners indicated that they acquired a pop-up recreational camper approximately 4-1/2 years ago. That vehicle was stored on the property since its acquisition. Recently, the original camper was replaced by a new model. The newer model is similar in size and appearance to the old one. As was the case with the older vehicle, the new vehicle is kept on the concrete drive in the front yard of the property.

The Petitioners indicated that storage of the vehicle in any other location on the property is impossible. It is noted that the property is relatively narrow, approximately 40 ft. wide. The house is 30 ft. in width, thus, there is only 5 ft. of yard space on either side. This prohibits storage of the vehicle in the side yards or transportation of same to the rear yard.

Based upon the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the Petition for Variance. The narrow width of the property is a unique characteristic of the site which justifies variance relief. Moreover, it is clear that the Petitioners would suffer a practical difficulty or undue hardship if strict adherence to the regulations were required. Storage of the vehicle, where same has been situated for nearly five years, is clearly not detrimental to the surrounding locale.

Notwithstanding the grant of the relief, I will limit the approval given to the pop-up camper and unit presently owned by the Petitioners or a similar replacement. That is, no other recreational vehicles can be stored under the relief granted herein.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this ______ day of July, 1996 that a variance from Section 415.A.1.A of the of the Baltimore County Zoning Regulations (BCZR) to permit a recreational vehicle in the front yard of the subject property, in lieu of the requirement that same be situated 8 ft. to the rear of a lateral projection of the front foundation line of a dwelling, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- The Petitioners may store on the property only the pop-up camper presently owned by them, or a similar replacement.

LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

LES/mmn

Word

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

July 16, 1996

Mr. and Mrs. Michael A. Miller 2913 Pennsylvania Avenue Baltimore, Maryland 21227

RE: Case No. 96-499-A

Petition for Zoning Variance Location: 2913 Pennsylvania Avenue

Dear Mr. and Mrs. Miller:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

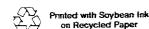
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn att.







ition for Varian

to the Zoning Commissioner of Baltimore County

for the property located at 1913 PENNSYLVANIA AVE

which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached

hereto and made a part hereof, hereby petition for a Variance from Section(s)

415 A. I. A to permit a recreational vehicle in the front yard in lieu of 8 feet to the rear of a lateral projection of the front foundation line of a duelling.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or

THE REASON IS MY LOT SIZE, IN RELATION TO THE WEIGHBORING LOTS. I ONLY HAVE 5' OF SPACE ON EITHER SIDE OF MY HOUSE MAKING IT IMPOSSIBLE TO USE MY BACK YARD FOR STORAGE. THE SURROUNDING LOTS ARE EITHER LARGER OR THEIR HOUSES ARE SITUATED DIFFERENTLY

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:			I/We do solemnly declare and affirm, using all owner(s) of the property which is the Legal Owner(s):	ander the penalties of this Pe	f perjury, that I/we are the littion
(Type or Print Name)			MICHAEL ANDR	EW MIL	LER
Signature			Signature Market (MIL	
Address			JACQUELINE (Type or Rrint Name)	M GAP	ILLER
City Attorney for Petitioner:	State	Zipcode	Signature Child.	1- Mil	
(Type or Print Name)			2913 PENNSYLVANI	A AVE	410-789-5279 Phone No
Signature			BALTIMORE	MO.	21227
ddress			Name, Address and phone number of rep	presentative to be co	entacked.
	Phone No.		Name	<u> </u>	
ity	State	Zipcode	Address		Phone No
	.4	Administration of the last of	ESTIMATED LENGTH OF HEARING		Inc
Printed with Soybean Ink on Recycled Paper	·vy	•	the following dates	ole for Hearing	_ Next Two Months
			REVIEWED BY:	DATE C.	17-96
M	CROFILMED				

ZONING DESCRIPTION 96-499-A

This is a Zoning description for 2913 Pennsylvania Ave. The property is located in the Rosemont area of southwest Baltimore County. The lot faces North (Pennsylvania Ave runs east/west) The northern boundary measures 40 ft. wide and 125 ft. length (or depth) The existing house allows for a 5 ft. clearance on both sides of the structure. The lot numbers are 16 & 17 with an unimproved alley on the southern side. The lot is recorded in the Baltimore County plat book APC7, folio # 100. The total lot size is 5000 square feet and is listed as section K in the Rosemont subdivision. The election district is #13 and the council manic district is #1. As shown in the attached copy of the plat the lot is a perfect rectangle (40' X 125')

Michael A. Miller

Jacqueline A. Miller

CERTIFICATE OF POSTING

N 96-499-4

Townson, Maryland	Complement
District LEC	Date of Posting 6/28/9 6
Posted for:kdzt&tk2	***************************************
Positioner: Michael + Fas Guellar Miller	Miller
Location of property: 1913 Lenna Hyo	
Location of Signa Factory The duty But Property busing Factor to	(Property busing Fam &
Remarks:	7/5766
Shimbar of Stones	Passa CE Column

(3)

NOTICE OF HEARING

The Zoning Commissioner of Ballmore County by authority of the Zoning Astra Regulations of Ballmore County will hold a public hearing on the property identified herein on the property identified herein on the Building. 111 W. Chesspace Ayenus in Toyloon, Maryland 21204 or Room 118 Old Countrouge. 400 Washington Avenue. Towloon, Maryland 27204 as 100000.

Case: Per 1887 A Case: C

dwelling. Hearing: Monday, July 15, 1996 at 2:00 p.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning,Commissioner for
Baltimore County
NOTES. (1). Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.
(2) For Information concerning the file and/or Hearing,

C62928 6/287 June 27

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

successive published in THE JEFFERSONIAN, a weekly newspaper published THIS IS TO CERTIFY, that the annexed advertisement was in Towson, Baltimore County, Md., once in each of __ weeks, the first publication appearing on __

LEDE NO. TOWSON THE JEFFERSONIAN,

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINAN REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

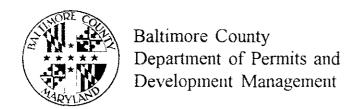
PATE 6/17/16

ACCOUNT 61-615 AMOUNT \$ 8 50 Of

PROM: Olo- Krs Variance - 3913 Pensylvania Ave. PARCELLA DE COLUMN LOSME HALL

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

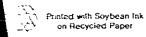
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR	_
For newspaper advertising:	-
Item No.: 499 Petitioner: 2913 Pennsylvana Acc	\ _
Location: Michael Miller	<u>_</u>
PLEASE FORWARD ADVERTISING BILL TO:	
NAME: MICHAEL MILLER	-
ADDRESS: 2913 PENNSYLVANIA AVE	
BALTIMORE, MD 21227	_
PHONE NUMBER: 410-789-5278	



npany Petition for Zoning Va	riance Special Hearing
	North Scale: 1'=1000'
	LOCATION INFORMATION
	Election District: Councilmanic District:
	1°=200' scale map#:
	Zoning: Lot size: acreage square feet
	SEWER: Private WATER:
	Chesapeake Bay Critical Area: Prior Zoning Hearings:
North	Zoning Office USE ONLY! reviewed by: ITEM #: CASE#:
prepared by:Scale of Drawing: 1 =	

TO: PUTUXENT PUBLISHING COMPANY
June 27, 1996 Issue - Jeffersonian

Please foward billing to:

Michael Miller 2913 Pennsylvania Avenue Baltimore, Maryland 21227 789-5278

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-499-A (Item 499)

2913 Pennsylvania Avenue

S/S Pennsylvania Avenue, 400' W of c/l Washington Street

13th Election District - 1st Councilmanic

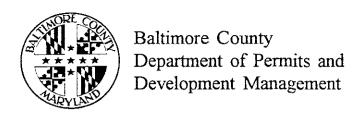
Legal Owner(s): Michael Andrew Miller and Jacqueline Ann Miller

Variance to permit a recreational vehicle in the front yard in lieu of 8 feet to the rear of a dwelling.

HEARING: MONDAY, JULY 15, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
 - (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

June 20, 1996

NOTICE OF HEARING

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-499-A (Item 499)

2913 Pennsylvania Avenue

S/S Pennsylvania Avenue, 400' W of c/l Washington Street

13th Election District - 1st Councilmanic

Legal Owner(s): Michael Andrew Miller and Jacqueline Ann Miller

Variance to permit a recreational vehicle in the front yard in lieu of 8 feet to the rear of a dwelling.

HEARING: MONDAY, JULY 15, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon Director

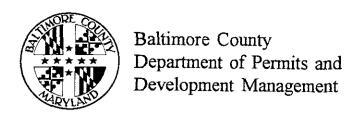
cc: Michael and Jacqueline Miller

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.







Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

July 10, 1996

Michael and Jacqueline Miller 2913 Pennsylvania Avenue Baltimore, MD 21227

RE: Item No.: 499

Case No.: 96-499-A

Petitioner: Michael Miller, et ux

Dear Mr. and Mrs. Miller:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 17, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)





BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: June 28, 1996

Department of Permits & Development

Management

FROM

Robert W. Bowling, Chief Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

For July 1, 1996

Item Nos 491, 493, 494, 495, 496,

498, and 499

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 06/26/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 24, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:490,491,493,494,495,496,
497,498 and 499.

MICROFILMED

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

PDM

DATE: 6/27/96

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee

Meeting Date: For Tuly 1, 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

495

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMEN



David L. Winstead Secretary Hal Kassoff Administrator

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

Baltimore County Item No. 499 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

Ronald Burns, Chief Engineering Access Permits

BS

Edition of the same

My telephone number is __

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Permits and Development

DATE: June 19, 1996

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. Nos. 490, 492, 493, 494, 495, 496, 498, and 499

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffry Long

Division Chief: Cambolium

PK/JL



Enforcement

Baltimore County
Department of Permits & Developm
III West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

96-499-A

TO:

Larry E. Schmidt

Zoning Commissioner

DATE:

July 12, 1996 1/15/96 hearing

FROM:

James H. Thompson - DP

Code Inspections and Enforcement Supervisor

SUBJECT:

ITEM NO.:

499

PETITIONER:

Michael A. Miller and Jacqueline A. Miller

Tenants by Entireties

VIOLATION CASE NO.:

C-96-5096

CITATION NO.:

96-394

LOCATION OF VIOLATION:

2913 Pennsylvania Avenue

Baltimore, Maryland 21227 13th Election District

DEFENDANTS:

Michael A. Miller and Jacqueline A. Miller

2913 Pennsylvania Avenue Baltimore, Maryland 21227

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following person(s):

NAME

ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Code Enforcement Supervisor, so that the appropriate action may be taken relative to the violation case.

JHT/DP/hek

VARIANCE PETITION

To Whom It May Concern:

As a resident of Pennsylvania Ave., I hereby state that I do not object to the Millers of 2913 maintaining a camper in their driveway. In my opinion, it does not detract from the neighborhood nor present a negative image. By my signature, I support the request for a variance.

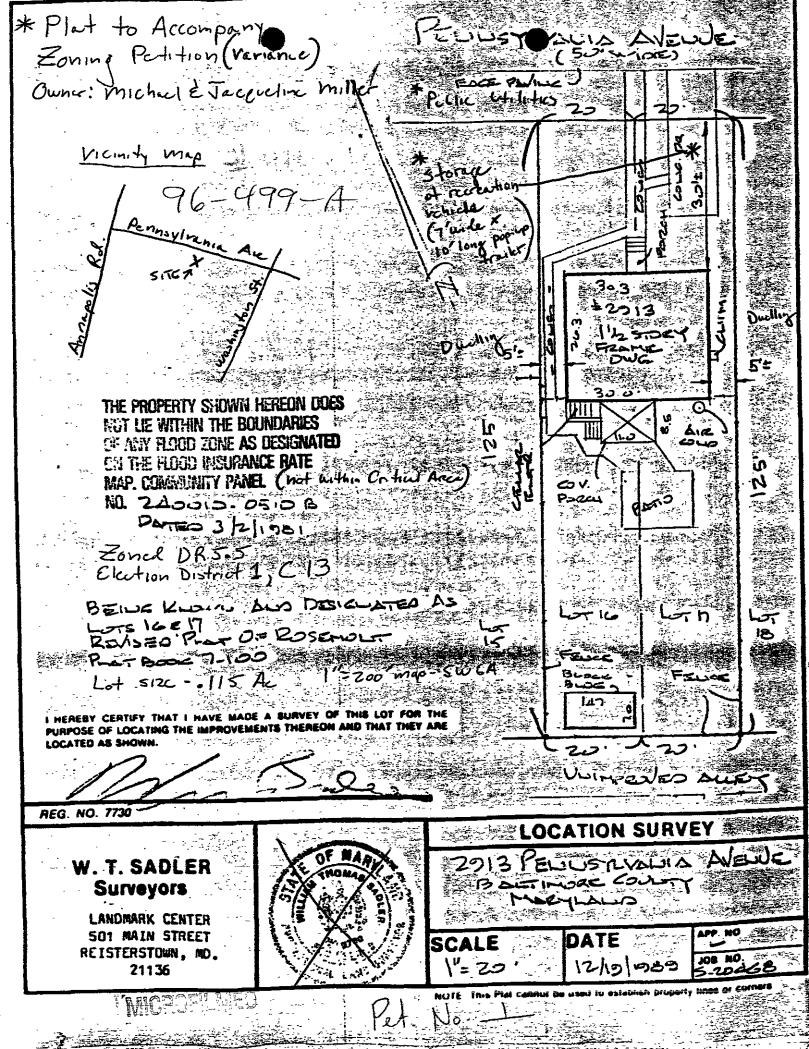
Signature	Printed Name	Address	
Terry Rochstol	TERRY ROCKSTROH 2915	PENNSYLVANIA AVE.	
Lunda Sonners	TERRY ROCKSTROH 2915 Yohn + Linda Sonner	2916 Pennsylvania	AV
Charles Ju f	ach fr. 2906	Pennsylvania Ave	·
Dand Ruj	2918 PENNSYLUANIA	AUE	
	luly	1 1006	

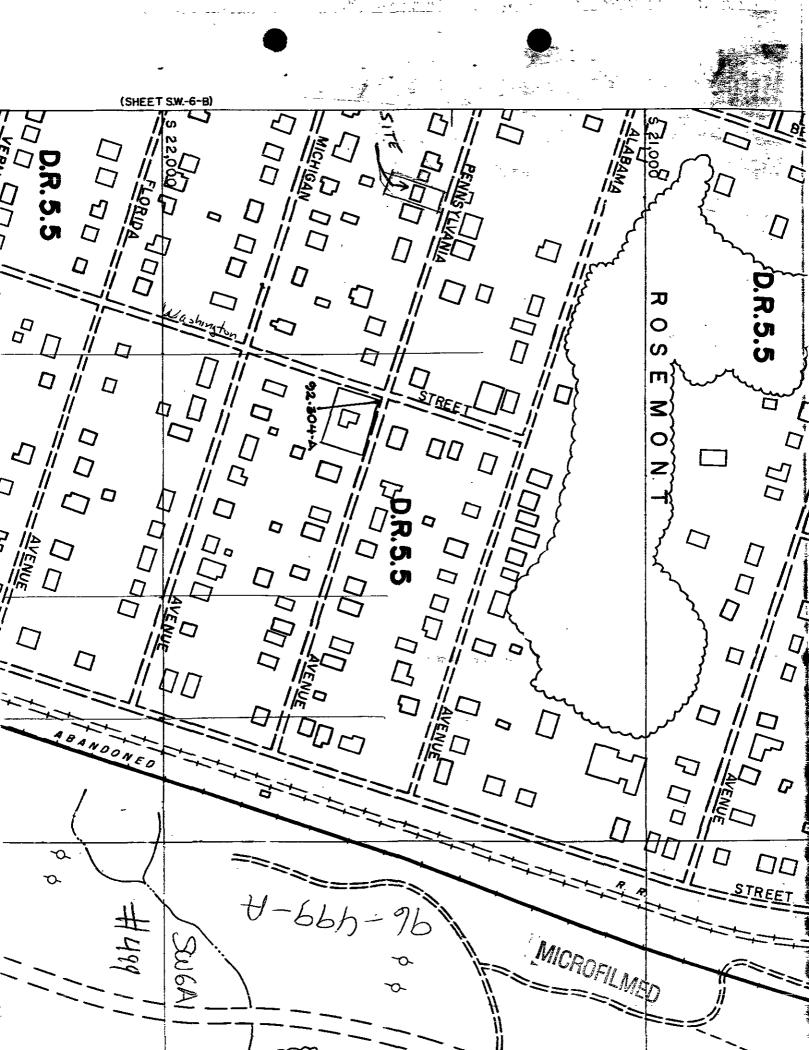
July 12, 1996

To Whom It May Concern:

I am writing this correspondence in reference to the pop up camper in the driveway at 2913 Pennsylvania Ave. I live next door and have no objections to the camper. The camper is well maintained and the owner takes great efforts to ensure that it does not detract from the neighborhood. I appreciate your efforts in maintaining the appearance of our community but request that a variance be granted in this situation. The owner's diligence in maintaining his home, property, and camper is an example the rest of the community could emulate. Thank you for your consideration.

Terry Rockstroh 2915 Pennsylvania Ave. Baltimore, Md 21227 (410) 636-1671





PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS		
MICHAEL A. MILLER	2913 PENNSYLVANIA AVE		
Jackie A. Miller	2913 Pennsylvania Noe.		
	MICROFILMET		













